

## **REMARKS**

Claims 1–9 are currently pending in this application. A new Title Of The Invention was required and the original title has been replaced by a new title. By the present Office Action, claim 6 was objected to for informalities; Claim 6 has been amended to correct informalities. A 35 USC 102(e) rejection of claims 1, 2, 5, 8 and 9 was made; however, Applicants respectfully note that the rejection of claim 5 did not include any supporting arguments. A 35 USC 103(a) rejection was made with respect to claims 2–4 and 6–7. The Specification was amended to correct minor typographical errors. No new matter has been added.

### **A. SPECIFICATION / TITLE**

Regarding paragraph 1, page 2 of the Office Action, a new title was suggested for the present application. In accordance with MPEP 606.01 which states that "[i]nasmuch as the words "improved," "improvement of," and "improvement in" are not considered as part of the title of an invention, the Patent and Trademark Office does not include these words at the beginning of the title of the invention", Applicants have replaced the original title with a new title omitting the word "improved".

### **B. CLAIM OBJECTIONS / INFORMALITIES**

Regarding paragraph 2, page 2 of the Office Action, Claim 6 was objected to because of the informality of the phrase starting with "is one of a". The Office Action suggests that the phrase should end in the alternative "or". Applicant has made such correction by amendment to claim 6.

**C. 35 USC 102 REJECTION OF CLAIMS 1, 2, 5, 8 AND 9 AS BEING  
ANTICIPATED BY EDDY**

Claims 1, 2, 5, 8 and 9 were rejected under 35 USC 102(b) as being anticipated by Eddy et al. ("Eddy").

Regarding the 35 USC 102 rejection of independent claim 1, Eddy does not teach each and every element of independent claim 1. Independent claim 1 is directed to a "[a] method for verifying that a postage metering system is located at a specific location, the method comprising the steps of: generating a code at a data center, the code being associated with the postage metering system; **creating a challenge card having the code therein; sending the challenge card via a carrier service to the specific location; retrieving the code from the challenge card and entering the code into the postage metering system subsequent to receipt of the code at the specific location; communicating the code retrieved from the challenge card from the postage metering system to the data center;** and comparing the code received at the data center from the postage metering system to the code generated at the data center to verify that the postage metering system is physically located at the specific location."

Eddy does not teach each and every element of independent claim 1 including **"creating a challenge card having the code therein"**. Nowhere in Eddy is their any teaching or suggestion of a challenge card or method including creating a challenge card, sending the challenge card, retrieving a code from the challenge card or communicating the code retrieved from the challenge card.

Applicants' specification at page 5, line 25 to page 8, line 12 explains the Applicants' method including the challenge card and is duplicated as follows for the Examiner's convenience (emphasis added):

Referring to Figures 1 and 3, the operation of the postage metering inspection system in securely determining the location of the postage metering system 202 will be described. The data center 222,

which can be either the USPS or the postage metering system 202 vendor, includes a central processing unit 262 for performing the functions set forth below, memory 264 having stored therein the inspection programming 264a and the secret inspection key 264b, a cryptographic engine 266 which is the same as the second cryptographic engine 258 in accounting module 218, and stored postage meter data 270. The postage meter data 270 includes data associated with each postage metering system 202 such as its serial number, registered address location, next inspection date, ascending and descending register information, a flag which can be set to identify that a postage metering system 202 location inspection is due, and any other data required by the postal service. In operation, the data center utilizes CPU 262 and inspection program 264a to evaluate the postage meter data 270 to identify when a postage metering system 202 requires a remote meter location inspection (step S20). **Upon determination of the required location inspection, a flag is set at the data center 222 to identify that at the next contact between the identified postage metering system 202 and the data center 222 the location inspection must take place (step S22). The data center 222 then generates a challenge card 272 which has a code 272a printed thereon (step S24). The specific code 272a is associated with the postage metering system serial number at the data center 222 and in the preferred embodiment the code 272a is an encrypted code. . .**

The challenge card 272 is then mailed in a normal manner to the registered (licensed) postage metering system 202 address via the postal service distribution system 260 (step S26). Upon receipt of the challenge card 272, the user can manually enter the code 272a into the postage metering system 202 for its storage in

**memory 226 and future use as is described below (step S28).** . . In a preferred embodiment, upon entry of code 272a, the postage metering system utilizes the second cryptographic module 258 and the inspection key 256 (which is the same as key 264b) to decrypt the user entered message authentication code 272a (step S30). At step S32, the postage metering system 202 compares the results of the decryption process to determine if the postage metering serial number and inspection date which it has stored within memory 226 matches the decrypted values. . . However, if the answer at step 32 is "YES", the user entered code 272a is stored within memory 226 (step S36) for use at the next communication between the postage metering system 202 and the data center 222. . .

Subsequent to step S36 at the next communication between the data center 222 and the postage metering system 202, whether for a postage funds refill or any other required inspection, the data center 222 determines that the flag for the particular postage metering system 202 has been set and will request that the stored code 272a be uploaded from the postage metering system 202 to the data center (step S38). In response to the data center request, the postage metering system 202 sends the code 272a to the data center 222 (step S40). **At step S42 the data center 222 compares the received code 272a to that which was sent to the postage metering system 202 on the challenge card 272 . . . if the codes match the data center 222 resets the flag to acknowledge successful completion of the location inspection and verification of the postage metering system 202 location (step S46).** . .

. . . For example, the **challenge card 272** could be a smart card, floppy disk, or CD-ROM which has the code 272a stored thereon. In this configuration the accounting subsystem 218 (or the computer

204) can have a corresponding card reader 276 therein which could automatically read the code 272a. This would preclude the incorrect entry of code 272a by a user. Additionally, while the cryptographically secure code 272a was discussed in connection with a secret key system, a public key system could be used to sign the code 272a in lieu thereof. Furthermore, upon receipt of the code 272a, it does not necessarily have to be immediately entered and stored in the postage metering system 202 but can be entered at the request of the data center during communication with the postage metering system 202 for a postage refill or a required inspection. Furthermore, the verification at the postage metering system 202 of the code 272a is not required, and while the invention has been described in connection with a postage metering system 202 it is applicable to any metering or value dispensing system and for carrier services other than the post. Finally, while at step 30 decryption is used for verification, alternatively the second cryptographic module can encrypt the data itself and compare it to the received encrypted data to determine if a match exists which would complete the verification process.

The Office Action at pages 2-3 paragraph 3, states that "as per claim 1, Eddy . . . discloses "generating a code at a data center, the code being associated with the postage metering system, see column 17, lines 32-40". Eddy at col. 17, lines 23-40 (lines 32-40 which were cited in the Office Action are emphasized in italics) is directed to **initialization** of a meter system and states "[r]eference is now made to FIGS. 4A, 4B and 4C. **A meter arrives at a user site** at 160. The user installs the ink cartridge or other inking system, if necessary, and any other supplies that are required to be installed in the metering system 2 such as batteries and any packing material holding the printing mechanism in other portions of the meter in place for shipment. The meter is thereafter powered on at 164. The user then enters via the

keyboard or modem, a remote meter resetting **account number associated with the user** at 166. *This is an **account number** that would be pre-established by the user prior to operating the meter and is assigned by the meter manufacturer to the customer. The assignment of the account number can be before or after the meter arrives at the user site. The user enters a meter order number at 168. This meter order number is assigned by the manufacturer at the time the meter is ordered by the user and can also be included in the paperwork with the physical arrival of the meter.* Eddy's account number and / or meter order number are not the same as Applicants' code. Applicants' code is explained in the specification at page 5, line 28 to page 6, line 5 as "[t]he data center 222 then generates a challenge card 272 which has a **code** 272a printed thereon (step S24). The specific code 272a is associated with the postage metering system serial number at the data center 222 and in the preferred embodiment the code 272a is an encrypted code. For example, the code 272a can be a message authentication code which is generated by applying via the cryptographic engine 266 an encryption algorithm . . . ." Furthermore, even assuming arguendo that the account number and / or order number were the same as Applicants' code, such information is entered by Eddy's user at the **user site** whereas Applicant is claiming "generating a code **at a data center**" which is remote from the user's site. (See specification at page 3, line 17; page 5 lines 15 and 17 for reference to "remote facility 222" / "data center 222").

The Office Action at pages 2-3 paragraph 3, states that as per claim 1, Eddy discloses "creating a challenge card having the **code** therein, see column 17, lines 37-40". Eddy at col. 17, lines 37-40 states "[t]he **meter order number** is assigned by the manufacturer at the time the meter is ordered by the user and can also be included in the paper work with the physical arrival of the meter". Eddy's meter order number is not the same as Applicants' creating a challenge card having the code therein". As explained in the above paragraph, the code is not the order number and the user site is not a data center. Furthermore, Eddy does not teach or suggest the creation of a "challenge card".

The Office Action at pages 2-3 paragraph 3, states that as per claim 1, Eddy discloses "sending the challenge card via a carrier service to the specific location, see column 17, lines 37-40". As explained in the above paragraph with respect to Eddy at col. 17 lines 37-40, Eddy does not teach or suggest the creation of a "challenge card". At lines 37 to 40, Eddy discloses a "meter order number . . . can be included in the paperwork with the **physical arrival** of the meter." The mere disclosure that Eddy includes a meter order number with the **physical arrival** of the meter as compared to Applicants' sending "the challenge card via a **carrier service**" does not make Applicants' referenced claim element anticipated by Eddy's disclosure at lines 37-40.

The Office Action at pages 2-3 paragraph 3, states that as per claim 1, Eddy discloses "retrieving the code from the challenge card and entering the code into the postage metering system subsequent to receipt of the code at the specific location", see column 17, lines 36". Eddy at col. 17, line 36 states that "[t]he user enters a meter order number at 168." This is not the same as Applicants' "**retrieving the code from the challenge card** and entering the code into the postage metering system subsequent to receipt of the code at the specific location". As explained above, Applicants' code is not an order number and Eddy does not teach or suggest the creation of a "challenge card". The mere disclosure that Eddy's "user **enters** a meter order number" into the meter and Applicants "**entering** the code into the postage metering system" does not make Applicants' referenced claim element anticipated by Eddy's disclosure at lines 37-40.

The Office Action at pages 2-3 paragraph 3, states that as per claim 1, Eddy discloses "communicating the code retrieved from the challenge card from the postage metering system to the data center", see column 17, lines 52-56". Eddy at col. 17, line 52-56 state that the user thereafter presses the meter funds refill key at 174. The user enters the funds refill amount and presses enter to initiate a dialing at 176. The system retrieves the meter serial number from the active vault in the system at 178." As explained above, Eddy does not disclose Applicants' code or

challenge card. The mere disclosure that Eddy "initiate[s] a **dialing**" as compared to Applicants' "**communicating**" does not make Applicants' referenced claim element anticipated by Eddy's disclosure at Col. 17, lines 52-56.

For all of the above stated reasons, Eddy does not anticipate independent claim 1. Furthermore, based upon their dependence upon independent claim 1, Eddy does not anticipate dependent claims 2 and 5. With respect to claim 2, the Office Action cited Eddy col. 17, lines 37-40: "the card is a printed card". Applicants' respectfully note that Eddy col. 17, lines 37-40 does not disclose Applicants' claim 2 "wherein the code generated at the data center is cryptographically secured". Additionally, Applicants note that no arguments were presented in the Office Action regarding claim 5. Therefore, Applicants' respectfully request that the 35 USC 102 rejection of claims 2 and 5 be withdrawn.

Regarding the 35 USC 102 rejection of claim 9 for all of the above stated reasons with respect to the 35 USC 102 rejection of independent claim 1, independent claim 9 is not anticipated by Eddy.

Regarding the 35 USC 102 rejection of claim 8, the Office Action at page 3 states that "as per claim 8 Eddy . . . discloses "a challenge card having the code therein associated with an identification of the accounting means, the challenge card received from a carrier service, see col. 17, lines 37-40". As set forth above with respect to the 35 USC 102 rejection of claim 1, second clause, Eddy does not teach or suggest Applicants' challenge card. The Office Action further states that "as per claim 8 Eddy . . . discloses a means for entering the code from the challenge card and entering the code into the postage metering system, see col. 17, line 36." As set forth above with respect to the 35 USC 102 rejection of claim 1, fourth clause Eddy does not teach or suggest this claim element. Therefore, claim 8 is not anticipated by Eddy.



**D. 35 USC 103 REJECTION OF CLAIMS 2-4, 6 AND 7 AS BEING  
UNPATENTABLE OVER EDDY IN VIEW OF DOLAN**

Regarding the 35 USC 103 rejection of claims 2-4, 6 and 7 over Eddy in view of Dolan, for the reasons stated above with respect to the 35 USC 102 rejection of claim 1 as being anticipated by Eddy, dependent claims 2-4, 6 and 7 (which depend either directly or indirectly from claim 1) are not obvious since Eddy in view of Dolan provide no teaching, suggestion or motivation of Applicants' claimed invention. Thus, Applicants respectfully request that the 35 USC 103 rejection be withdrawn.

**E. CONCLUSION**

In view of the foregoing amendments and following remarks, it is respectfully submitted that the claims of this application are now in a condition for allowance and favorable action thereon is requested.

Respectfully submitted,



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**Version with Markings to Show Changes Made**

**In the specification:**

At page 1, line 1 in the Title of Invention please delete "Improved".

At page 1, line 25 please delete "The" and replace with - - the - -.

At page 3, line 17, after "remote facility" please insert - - or data center - -.

At page 4, line 16 after "explained" please insert the punctuation - - . - -

At page 5, line 23 after "the data center" please insert - - 222 - -.

At page 6, line 11, after "entry to" please insert - -be - -.

**In the Claims:**

**Please amend claim 6 as follows:**

6. (amended) A method as recited in claim 1, wherein the challenge card is one of a smart card, a floppy diskette, [and] or a CD-ROM.